



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/225,388	01/05/1999	DAVID W SMITH	2000.002500	2528

23720 7590 07/28/2010  
WILLIAMS, MORGAN & AMERSON  
10333 RICHMOND, SUITE 1100  
HOUSTON, TX 77042

EXAMINER
----------

NGUYEN, TOAN D

ART UNIT	PAPER NUMBER
----------	--------------

2472

MAIL DATE	DELIVERY MODE
-----------	---------------

07/28/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Response to Rule 312 Communication</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/225,388	SMITH, DAVID W
	<b>Examiner</b>	<b>Art Unit</b>
	TOAN D. NGUYEN	2472

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

1. ☒ The amendment filed on 14 July 2010 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

Rule 312 allows for claim amendments of existing claims where the scope does not change. Adding new claims is a continued prosecution and this is forbidden under Rule 312. Please see MPEP 714.16.

/William Trost/  
Supervisory Patent Examiner, Art Unit 2472